United Nations

Press Release
General Assembly

Department of Public Information • News Coverage and Accreditation Service • New York

GA/9426
7 July 1998

RESOLUTIONS OF THE GENERAL ASSEMBLY

AT ITS

TWENTIETH SPECIAL SESSION

8 - 10 JUNE 1998

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INTRODUCTION

This press release contains the text of four resolutions adopted at the twentieth special session of the General Assembly, which met from 8 to 10 June 1998 at United Nations Headquarters, New York.

Following the number and title of each resolution, information is given on the date of adoption, the plenary meeting at which it was adopted, the vote and the document number of the Committee Report.

All resolutions at the session were adopted without a vote.

The agenda of the session follows the table of contents.

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AGENDA OF TWENTIETH SPECIAL SESSION

1. Adoption of the agenda and other organizational matters.

2. Preparations for the special session of the General Assembly to consider the fight against the illicit production, sale, demand, traffic and distribution of narcotic drugs and psychotropic substances and related activities and to propose new strategies, methods, practical activities and specific measures to strengthen international cooperation in addressing the problem of drug abuse and illicit trafficking:

   (a) Consideration of the draft provisional agenda of the special session of the General Assembly;

   (b) Consideration of the reports of the informal open-ended intersessional meetings of the Commission acting as preparatory body for the special session of the General Assembly on international drug control;

   (c) Consideration of elements for inclusion in a draft political declaration;

   (d) Consideration of the draft declaration on the guiding principles of demand reduction;

   (e) Consideration of any other proposals to be submitted to the special session in accordance with the objectives set out in General Assembly resolution 51/64;

   (f) Review of the international drug control regime: strengthening United Nations machinery for drug control;

   (g) Other matters.

3. Adoption of the report of the preparatory body on its second session.

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OFFICERS OF THE TWENTIETH SPECIAL SESSION OF THE GENERAL ASSEMBLY

President: Hennadiy Udovenko (Ukraine)

Vice-Presidents

The 21 Vice-Presidents of the fifty-first regular session were appointed to seve in their same capacity during the special session, as follows: China, Democratic Republic of the Congo, Egypt,Ethiopia, France, Greece, Guinea, Ireland, Jordan, Kyrgyzstan, Mexico, Mongolia, Panama, Qatar, Russian Federation, Saint Vincent and the Grenadines, South Africa, Togo, United Kingdom, United States and Viet Nam.

Committee Officers

The Assembly agreed on the composition of the General Committee for the special sesssion, by appointing the Chairman of the Main Committees and 21 Vice-Presidents.

The following Chairmen of the Assembly's Main Committees for the fifty-second regular session were appointed to serve in the same capacity at the twentieth special session: First Committee (Disarmament and International Security) -- Mothusi Nkgowe (Botswana); Second Committee (Economic and Financial) -- Oscar de Rojas (Venezuela); Third Committee (Social, Humanitarian and Cultural) -- Alessandro Busacca (Italy); Fourth Committee (Special Political and Decolonization) -- Machivenyika Tobias Mapuranga (Zimbabwe); and Fifth Committee (Administrative and Budgetary) -- Anwarul Karim Chowdhury (Bangladesh). For the Sixth Committee (Legal), Craig Daniell (South Africa) will act as Chairman during the special session.

Ad Hoc Committee

The Committee elected Alvaro de Mendonça e Moura (Portugal) as Chairman of the Ad Hoc Committee of the Whole. Alberto Scavarelli (Uruguay), N.J. Mxakato-Kiseko (South Africa), Daniela Rozonova (Slovakia) and N.K. Singh (India) were elected Vice-Chairmen. Mr. Singh also served as Rapporteur.

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S-20/1 Credentials of representatives to the twentieth special session of the General Assembly

Date: 10 June 1998 Meeting: 8
Adopted without a vote Report: A/S-20/10

The General Assembly,

Having considered the report of the Credentials Committee and the recommendation contained therein,

Approves the report of the Credentials Committee.

S-20/2 Political Declaration

Date: 10 June 1998 Meeting: 9
Adopted without a vote Report: A/S-20/11

The General Assembly

Adopts the Political Declaration annexed to the present resolution.

ANNEX

POLITICAL DECLARATION

Drugs destroy lives and communities, undermine sustainable human development and generate crime. Drugs affect all sectors of society in all countries; in particular, drug abuse affects the freedom and development of young people, the world's most valuable asset. Drugs are a grave threat to the health and well-being of all mankind, the independence of States, democracy, the stability of nations, the structure of all societies, and the dignity and hope of millions of people and their families; therefore:

We, the States Members of the United Nations,

Concerned about the serious world drug problem, 1/ having assembled at the twentieth special session of the General Assembly to consider enhanced action to tackle it in a spirit of trust and cooperation,

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1/ The illicit cultivation, production, manufacture, sale, demand, trafficking and distribution of narcotic drugs and psychotropic substances, including amphetamine-type stimulants, the diversion of precursors, and related criminal activities.

1. Reaffirm our unwavering determination and commitment to overcoming the world drug problem through domestic and international strategies to reduce both the illicit supply of and demand for drugs;

2. Recognize that action against the world drug problem is a common and shared responsibility requiring an integrated and balanced approach in full conformity with the purposes and principles of the Charter of the United Nations and international law, and particularly with full respect for the sovereignty and territorial integrity of States, the principle of non-intervention in internal affairs of States, and all human rights and fundamental freedoms. Convinced that the world drug problem must be addressed in a multilateral setting, we call upon States which have not already done so to become a party to and fully implement the three international drug control conventions. 2/ Also, we renew our commitment to adopting and reinforcing comprehensive national legislation and strategies to give effect to the provisions of those conventions, ensuring through periodic reviews that the strategies are effective;

3. Reaffirm our support for the United Nations and its drug-control organs, 3/ especially the Commission on Narcotic Drugs, as the global forum for international cooperation against the world drug problem and resolve to strengthen the functioning and governance of these organs;

4. Undertake to ensure that women and men benefit equally, and without any discrimination, from strategies directed against the world drug problem, through their involvement in all stages of programmes and policy-making;

5. Recognize with satisfaction the progress achieved by States, both individually and working in concert, and express deep concern about the new social contexts in which the consumption of illicit drugs, particularly of amphetamine-type stimulants, is taking place;

6. Welcome the efforts of the wide range of people working in various fields against drug abuse and are encouraged by the behaviour of the vast majority of youth who do not consume illegal drugs, and decide to give particular attention to demand reduction, notably by investing in and working with youth through formal and informal education, information activities and other preventive measures;

7. Affirm our determination to provide the necessary resources for treatment and rehabilitation and to enable social reintegration to restore dignity and hope to children, youth, women and men who have become drug abusers, and to fight against all aspects of the world drug problem;

8. Call upon the United Nations system and invite the international financial institutions, such as the World Bank and the regional development banks, to include action against the world drug problem in their programmes, taking into account the priorities of States;

2/ The Single Convention on Narcotic Drugs, 1961 as amended by the 1972 Protocol, the Convention on Psychotropic Substances of 1971 and the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988.

3/ The international drug control organs as defined in the 1961 Single Convention on Narcotic Drugs are the Commission on Narcotic Drugs of the Economic and Social Council, and the International Narcotics Control Board.

9. Call for the establishment or strengthening of regional or subregional mechanisms, when needed, with the assistance of the United Nations International Drug Control Programme and the International Narcotics Control Board, and invite those mechanisms to share experiences and conclusions resulting from the implementation of national strategies and to report on their activities to the Commission on Narcotic Drugs;

10. Express deep concern about links between illicit drug production, trafficking and involvement of terrorist groups, criminals and transnational organized crime, and are resolved to strengthen our cooperation in response to those threats;

11. Are alarmed by the growing violence resulting from links between illicit production of and illicit trafficking in arms and drugs, and resolve to increase our cooperation in stemming illegal arms trafficking and to achieve concrete results in this field through appropriate measures;

12. Call upon our communities, especially families, and their political, religious, educational, cultural, sports, business and union leadership, non-governmental organizations and the media worldwide to actively promote a society free of drug abuse, especially by emphasizing and facilitating healthy, productive and fulfilling alternatives to the consumption of illicit drugs, which must not become accepted as a way of life;

13. Decide to devote particular attention to the emerging trends in the illicit manufacture, trafficking and consumption of synthetic drugs, and call for the establishment or strengthening by the year 2003 of national legislation and programmes giving effect to the Action Plan against Illicit Manufacture, Trafficking and Abuse of Amphetamine-type Stimulants and their Precursors, adopted at the present session; 4/

14. Decide to devote particular attention to the measures for the control of precursors, adopted at the present session, 5/ and further decide to establish the year 2008 as a target date for States, with a view to eliminating or significantly reducing the illicit manufacture, marketing and trafficking of psychotropic substances, including synthetic drugs, and the diversion of precursors;

15. Undertake to make special efforts against the laundering of money linked to drug trafficking and, in that context, emphasize the importance of strengthening international, regional and subregional cooperation, and recommend that States that have not yet done so adopt by the year 2003 national money-laundering legislation and programmes in accordance with relevant provisions of the United Nations Convention against the Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988, as well as the measures for countering money-laundering, adopted at the present session; 6/

16. Undertake to promote multilateral, regional, subregional and bilateral cooperation among judicial and law enforcement authorities to deal with criminal organizations involved in drug offences and related criminal activities, in accordance with the measures to promote judicial

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4/ See chap. V, sect. A, draft resolution III A.

5/ See chap. V, sect. A, draft resolution III B.

6/ See chap. V, sect. A, draft resolution III D.

cooperation, adopted at the present session, 7/ and encourage States to review and, where appropriate, to strengthen by the year 2003 the implementation of those measures;

17. Recognize that demand reduction is an indispensable pillar in the global approach to countering the world drug problem, commit ourselves to introducing into our national programmes and strategies the provisions set out in the Declaration on the Guiding Principles of Drug Demand Reduction, 8/ to working closely with the United Nations International Drug Control Programme to develop action-oriented strategies to assist in the implementation of the Declaration, and to establishing the year 2003 as a target date for new or enhanced drug demand reduction strategies and programmes set up in close collaboration with public health, social welfare and law enforcement authorities, and also commit ourselves to achieving significant and measurable results in the field of demand reduction by the year 2008;

18. Reaffirm the need for a comprehensive approach towards the elimination of illicit narcotic crops in line with the Action Plan on International Cooperation on the Eradication of Illicit Drug Crops and Alternative Development adopted at the present session; 9/ stress the special importance of cooperation in alternative development, including the better integration of the most vulnerable sectors involved in the illicit drug market into legal and viable economic activities; emphasize the need for eradication programmes and law enforcement measures to counter illicit cultivation, production, manufacture and trafficking, paying special attention to the protection of the environment; and, in this regard, strongly support the work of the United Nations International Drug Control Programme in the field of alternative development;

19. Welcome the United Nations International Drug Control Programme's global approach to the elimination of illicit crops and commit ourselves to working closely with the United Nations International Drug Control Programme to develop strategies with a view to eliminating or significantly reducing the illicit cultivation of the coca bush, the cannabis plant and the opium poppy by the year 2008. We affirm our determination to mobilize international support for our efforts to achieve these goals;

20. Call upon all States to take into account the outcome of the present session when formulating national strategies and programmes and to report biennially to the Commission on Narcotic Drugs on their efforts to meet the above-mentioned goals and targets for the years 2003 and 2008, and request the Commission to analyse these reports in order to enhance the cooperative effort to combat the world drug problem.

These are new and serious promises which will be difficult to achieve, but we are resolved that such commitments will be met by practical action and the resources needed to ensure real and measurable results;

Together we can meet this challenge.

7/ See chap. V, sect. A, draft resolution III C.

8/ See chap. V, sect. A, draft resolution II.

9/ See chap. V, sect. A, draft resolution III E.

S-20/3 Declaration on the Guiding Principles of Drug Demand Reduction

Date: 10 June 1998 Meeting: 9
Adopted without a vote Report: A/S-20/11

The General Assembly

Adopts the Declaration on the Guiding Principles of Drug Demand Reduction annexed to the present resolution.

ANNEX

DECLARATION ON THE GUIDING PRINCIPLES OF DRUG DEMAND REDUCTION*

I. THE CHALLENGE

1. All countries are affected by the devastating consequences of drug abuse and illicit trafficking: adverse effects on health; an upsurge in crime, violence and corruption; the draining of human, natural and financial resources that might otherwise be used for social and economic development; the destruction of individuals, families and communities; and the undermining of political, cultural, social and economic structures.

2. Drug abuse affects all sectors of society and countries at all levels of development. Therefore drug demand reduction policies and programmes should address all sectors of society.

3. A rapidly changing social and economic climate, coupled with increased availability and promotion of drugs and the demand for them, have contributed to the increasing magnitude of the global drug abuse problem. The complexity of the problem has been compounded by changing patterns of drug abuse, supply and distribution. There has been an increase in social and economic factors which make people, especially the young, more vulnerable and likely to engage in drug use and drug-related risk-taking behaviour.

4. Extensive efforts have been and continue to be made by Governments at all levels to suppress the illicit production, trafficking and distribution of drugs. The most effective approach towards the drug problem consists of a comprehensive, balanced and coordinated approach, encompassing supply control and demand reduction reinforcing each other, together with the appropriate application of the principle of shared responsibility. There is now a need to intensify our efforts in demand reduction and to provide adequate resources towards that end.

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* The term "drug demand reduction" is used to describe policies or programmes directed towards reducing the consumer demand for narcotic drugs and psychotropic substances covered by the international drug control conventions (the Single Convention on Narcotic Drugs of 1961, as amended by the 1972 Protocol, the Convention on Psychotropic Substances of 1971 and the Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988). The distribution of these narcotic drugs and psychotropic substances is forbidden by law or limited to medical and pharmaceutical channels.

5. Programmes to reduce the demand for drugs should be part of a comprehensive strategy to reduce the demand for all substances of abuse. Such programmes should be integrated to promote cooperation between all concerned, should include a wide variety of appropriate interventions, should promote health and social well-being among individuals, families and communities and should reduce the adverse consequences of drug abuse for the individual and for society as a whole.

6. This Declaration is an important initiative of the United Nations Decade on Drug Abuse, covering the period 1991-2000. It responds to the need for an international instrument on the adoption of effective measures at the national, regional and international levels against the demand for illicit drugs. It builds and expands upon a number of related international conventions and recommendations, which are set out in the appendix to the present Declaration.

II. THE COMMITMENT

7. We, the States Members of the United Nations:

(a) Undertake that this Declaration on the Guiding Principles of Drug Demand Reduction shall direct our actions;

(b) Pledge a sustained political, social, health and educational commitment to investing in demand reduction programmes that will contribute towards reducing public health problems, improving individual health and well-being, promoting social and economic integration, reinforcing family systems and making communities safer;

(c) Agree to promote, in a balanced way, interregional and international cooperation in order to control supply and reduce demand;

(d) Adopt measures provided for in article 14, paragraph 4, of the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988, 10/ which states, inter alia, that parties should adopt "appropriate measures aimed at eliminating or reducing illicit demand for narcotic drugs and psychotropic substances" and may enter into bilateral or multilateral agreements or arrangements aimed at eliminating or reducing that demand.

III. GUIDING PRINCIPLES

8. The following principles shall guide the formulation of the demand reduction component of national and international drug control strategies, in accordance with the principles of the Charter of the United Nations and international law, in particular, respect for the sovereignty and territorial integrity of States; human rights and fundamental freedoms and the principles of the Universal Declaration of Human Rights; and the principle of shared responsibility:

(a) There shall be a balanced approach between demand reduction and supply reduction, each reinforcing the other, in an integrated approach to solving the drug problem;

10/ See Official Records of the United Nations Conference for the Adoption of a Convention against Illicit Traffic in Narcotic Drugs and Pyschotropic Substances, Vienna, 25 November-20 December 1988, vol.I (United Nations publication, Sales No. E.94.XI.5).

(b) Demand reduction policies shall:

(i) Aim at preventing the use of drugs and at reducing the adverse consequences of drug abuse;

(ii) Provide for and encourage active and coordinated participation of individuals at the community level, both generally and in situations of particular risk, by virtue of, for example, their geographical location, economic conditions or relatively large addict populations;

(iii) Be sensitive to both culture and gender;

(iv) Contribute to developing and sustaining supportive environments.

IV. CALL FOR ACTION

A. Assessing the problem

9. Demand reduction programmes should be based on a regular assessment of the nature and magnitude of drug use and abuse and drug-related problems in the population. This is imperative for the identification of any emerging trends. Assessments should be undertaken by States in a comprehensive, systematic and periodic manner, drawing on results of relevant studies, allowing for geographical considerations and using similar definitions, indicators and procedures to assess the drug situation. Demand reduction strategies should be built on knowledge acquired from research as well as lessons derived from past programmes. These strategies should take into account the scientific advances in the field, in accordance with the existing treaty obligations, subject to national legislation and the Comprehensive Multidisciplinary Outline of Future Activities in Drug Abuse Control. 11/

B. Tackling the problem

10. Demand reduction programmes should cover all areas of prevention, from discouraging initial use to reducing the negative health and social consequences of drug abuse. They should embrace information, education, public awareness, early intervention, counselling, treatment, rehabilitation, relapse prevention, aftercare and social reintegration. Early help and access to services should be offered to those in need.

C. Forging partnerships

11. A community-wide participatory and partnership approach is crucial to the accurate assessment of the problem, the identification of viable solutions and the formulation and implementation of appropriate policies and programmes. Collaboration among Governments, non-governmental organizations, parents, teachers, health professionals, youth and community organizations, employers' organizations, workers' organizations and the private sector is therefore essential. Such collaboration improves public awareness and

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11/ See Report of the International Conference on Drug Abuse and Illicit Trafficking, Vienna, 17-26 June 1987 (United Nations publication, Sales No. E.87.I.18), chap. I, sect. A.

enhances the capacity of communities to deal with the negative consequences of drug abuse. Public responsibility and awareness and community mobilization are of paramount importance to ensuring the sustainability of demand reduction strategies.

12. Demand reduction efforts should be integrated into broader social welfare and health promotion policies and preventive education programmes. It is necessary to secure and sustain an environment in which healthy choices become attractive and accessible. Efforts to reduce the demand for drugs should be part of a broader social policy approach that encourages multisectoral collaboration. Such efforts should be comprehensive, multifaceted, coordinated and integrated with social and public policies that influence the overall health and social and economic well-being of people.

D. Focusing on special needs

13. Demand reduction programmes should be designed to address the needs of the population in general, as well as those of specific population groups, paying special attention to youth. Programmes should be effective, relevant and accessible to those groups most at risk, taking into account differences in gender, culture and education.

14. In order to promote the social reintegration of drug-abusing offenders, where appropriate and consistent with the national laws and policies of Member States, Governments should consider providing, either as an alternative to conviction or punishment or in addition to punishment, that abusers of drugs should undergo treatment, education, aftercare, rehabilitation and social reintegration. Member States should develop within the criminal justice system, where appropriate, capacities for assisting drug abusers with education, treatment and rehabilitation services. In this overall context, close cooperation between criminal justice, health and social systems is a necessity and should be encouraged.

E. Sending the right message

15. Information utilized in educational and prevention programmes should be clear, scientifically accurate and reliable, culturally valid, timely and, where possible, tested with a target population. Every attempt should be made to ensure credibility, avoid sensationalism, promote trust and enhance effectiveness. States should, in cooperation with the media, seek to raise public consciousness about the hazards of drug use and to promote preventive messages, countering the promotion of drug use in popular culture.

F. Building on experience

16. States should place appropriate emphasis on training policy makers, programme planners and practitioners in all aspects of the design, execution and evaluation of demand reduction strategies and programmes. Those strategies and programmes should be ongoing and should be aimed at meeting the needs of participants.

17. Demand reduction strategies and specific activities should be thoroughly evaluated to assess and improve their effectiveness. The evaluations should also be appropriate to the specific culture and programme involved. The results of these evaluations should be shared with all those interested.

Appendix

SUPPLEMENTARY REFERENCE MATERIAL FOR GOVERNMENTS CONSIDERING NATIONAL DRUG CONTROL STRATEGIES

1. Under article 38 of the Single Convention on Narcotic Drugs of 1961 as amended by the 1972 Protocol 12/ and under article 20 of the Convention on Psychotropic Substances of 1971, 13/ parties to those conventions are required to take all practicable measures for the prevention of abuse of narcotic drugs or psychotropic substances and "for the early identification, treatment, education, aftercare, rehabilitation and social reintegration of the persons involved". Article 14 of the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988 states that parties "shall adopt appropriate measures aimed at eliminating or reducing illicit demand for narcotic drugs and psychotropic substances, with a view to reducing human suffering and eliminating financial incentives for illicit traffic". 14/

2. Taking into account the fact that the rise in global concern about the extent, nature and effects of drug abuse has created an opportunity and the will to intensify action, States reaffirm the validity and importance of the international agreements and declarations in the area of demand reduction that have been elaborated. The importance of demand reduction was confirmed by the International Conference on Drug Abuse and Illicit Trafficking, held at Vienna from 17 to 26 June 1987, which adopted the Comprehensive Multidisciplinary Outline of Future Activities in Drug Abuse Control. The Comprehensive Multidisciplinary Outline sets out 14 targets in the field of demand reduction, as well as the types of activities needed to achieve them at the national, regional and international levels. The General Assembly, the Economic and Social Council and the Commission on Narcotic Drugs have all adopted resolutions endorsing the Comprehensive Multidisciplinary Outline and emphasizing the need to pay increasing attention to demand reduction. Moreover, at its seventeenth special session, on international cooperation against illicit production, supply, demand, trafficking and distribution of narcotic drugs and psychotropic substances, the General Assembly, in its resolution S-17/2 of 23 February 1990, adopted the Political Declaration and Global Programme of Action. The Global Programme of Action, in paragraphs 9-37, addresses issues related to the prevention and reduction of drug abuse with a view to elimination of the illicit demand for narcotic drugs and psychotropic substances and to the treatment, rehabilitation and social reintegration of drug abusers. Further attention was directed to demand reduction by the World Ministerial Summit to Reduce the Demand for Drugs and to Combat the Cocaine Threat, held in London from 9 to 11 April 1990.

3. In addition, the Convention on the Rights of the Child, 15/ in its article 33, emphasizes the need to protect children from the abuse of narcotic drugs and psychotropic substances. A similar point is made in the World Programme of Action for Youth to the Year 2000 and Beyond, which, in paragraphs 77 and 78, includes proposals for involving

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12/ United Nations, Treaty Series, vol. 976, No. 14152.

13/ Ibid., vol. 1019, No. 14956.

14/ See Official Records of the United Nations Conference for the Adoption of a Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances, Vienna, 25 November-20 December 1988, vol. I (United Nations publication, Sales No. E.94.XI.5).

15/ Resolution 44/25, annex.

youth organizations and young people in demand reduction activities. Also of significance is the code of practice on the management of alcohol- and drug-related issues in the workplace, adopted by a tripartite meeting of experts and subsequently endorsed by the Governing Body of the International Labour Organization at its 262nd session, in 1995. The principles of equality of opportunity and treatment contained in the International Labour Organization Convention concerning Discrimination in Respect of Employment and Occupation (No. 111), 1958, are also directly relevant to demand reduction.

S-20/4 Measures to enhance international cooperation to counter the world drug problem

Date: 10 June 1998 Meeting: 9
Adopted without a vote Report: A/S-20/11

The General Assembly

Adopts the following Action Plan against Illicit Manufacture, Trafficking and Abuse of Amphetamine-type Stimulants and their Precursors:

I. RAISING AWARENESS OF THE PROBLEM OF AMPHETAMINE-TYPE STIMULANTS

Problem

1. The problem of amphetamine-type stimulants, though relatively new in many countries, is growing quickly and is unlikely to go away on its own. It is rapidly changing in scope and geographical spread. Yet global awareness of it is limited and responses to it are heterogeneous and inconsistent.

Action

2. The international community should give higher priority to combating the problem of amphetamine-type stimulants in all its aspects. The competent entities of the United Nations system should give appropriate consideration to that problem. The subject of amphetamine-type stimulants should be given higher priority and become a regular item on the agenda of the Commission on Narcotic Drugs.

3. International and regional bodies should continue advocating implementation of the extensive framework of international treaties, as well as resolutions or decisions addressing various aspects of the problem of amphetamine-type stimulants, adopted by the Economic and Social Council, the Commission on Narcotic Drugs and the International Narcotics Control Board.

4. International bodies such as the United Nations International Drug Control Programme, the International Narcotics Control Board and the World Health Organization should strengthen their work on technical scientific dimensions of the problem of amphetamine-type stimulants and disseminate the results in regular publications for States and the general public.

5. States should give the issue the priority and attention it deserves and implement the global framework mentioned in paragraph 3 above.

6. In addition to efforts by States, mobilization of the private sector and non-governmental organizations should be sought in achieving awareness of the problem of amphetamine-type stimulants.

7. States should disseminate information on actions taken in fulfilment of the present Action Plan and report on them to the Commission on Narcotic Drugs, which, in turn, should review and appraise implementation of the Action Plan at the national, regional and international levels.

II. REDUCING DEMAND FOR ILLICIT AMPHETAMINE-TYPE STIMULANTS

Problem

8. In many countries, abuse of amphetamine-type stimulants is increasingly concentrated among younger segments of the population, who widely and erroneously believe the substances to be safe and benign. Such abuse of amphetamine-type stimulants is threatening to become a part of mainstream consumer culture.

Action

9. International bodies such as the United Nations International Drug Control Programme and the World Health Organization should, on a regular basis: (a) collate current information on the health effects of amphetamine-type stimulants and their by-products; (b) study the social, economic and cultural driving forces of demand for amphetamine-type stimulants; (c) identify, document and disseminate good practices in the prevention and treatment of abuse of amphetamine-type stimulants, as well as in the prescription of licit amphetamine-type stimulants; and (d) coordinate work with non-governmental organizations in these areas.

10. States should: (a) continuously monitor changing patterns of abuse of amphetamine-type stimulants; (b) investigate social, economic, health and cultural dimensions of abuse of amphetamine-type stimulants; (c) give priority to research, where capacity is available, on the long-term health effects of abuse of amphetamine-type stimulants; (d) use and disseminate the results of these activities, including the information collated by the international bodies, for targeted prevention and treatment efforts as well as, where appropriate, public awareness campaigns; and (e) include in their education campaigns, information on the harmful effects of abuse of amphetamine-type stimulants.

III. PROVIDING ACCURATE INFORMATION ON AMPHETAMINE-TYPE STIMULANTS

Problem

11. Traditionally limited to the ambit of underground literature, information on illicit amphetamine-type stimulants has now become accessible to a large population through modern technology. Recipes for clandestine manufacture of amphetamine-type stimulants, techniques of abuse of amphetamine-type stimulants, images of amphetamine-type stimulants as harmless drugs, and methods of evading existing controls are all widely available. This malign influence should be countered by the positive use of information technology such as the Internet for educational and training purposes.

Action

12. Consultations should be initiated at the national, regional and international levels, as appropriate, with representatives of the traditional media, and the telecommunication and software industries to promote and encourage self-restraint and to develop frameworks, based on existing law, for the removal of illegal drug-related information. Frameworks could be developed from industry-managed open complaint mechanisms such as reporting hotlines, which allow Internet users to report instances of illegal drug-related material found on the Internet. Responsibility for enforcement action should remain with the appropriate enforcement authorities. States should also encourage the development and use of rating and filtering software, which enables users to protect themselves from material that, while not illegal, may contain offensive or undesirable information.

13. States should ensure that their legal frameworks regarding illegal drugs and drug-related information apply, as appropriate, to the Internet as they do off-line.

14. International bodies such as the United Nations International Drug Control Programme, the United Nations Educational, Scientific and Cultural Organization, the World Health Organization, the International Criminal Police Organization and the Customs Cooperation Council (also called the World Customs Organization), as well as appropriate regional and national organizations, should participate in a worldwide clearing house system (that is, the electronic linking, through the Internet, of national, regional and international documentation centres on substance abuse) to disseminate accurate and timely information on various aspects of the problem of amphetamine-type stimulants, as well as use the Internet for distance-learning purposes, with particular emphasis on assistance to developing countries.

15. States should: (a) use modern information technology to disseminate information on adverse health, social and economic consequences of abuse of amphetamine-type stimulants; and (b) encourage methodological development, standardized terminology and coordinated data collection on amphetamine-type stimulants through, inter alia, participation in the international clearing house system.

16. States should also take appropriate action to fully implement the provisions of the Convention on Psychotropic Substances of 1971, article 10 (on prohibiting the advertisement of controlled substances to the general public), 16/ and of the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988, article 3 (on publicly inciting illicit activities related to drugs).17/

IV. LIMITING THE SUPPLY OF AMPHETAMINE-TYPE STIMULANTS

Problem

17. For amphetamine-type stimulants, the principal supply control strategies are to target trafficking, stop illicit manufacture and prevent diversion of laboratory equipment and the chemical starting materials (that is, the precursors). The latter is particularly important

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16/ United Nations, Treaty Series, vol. 1019, No. 14956.

17/ See Official Records of the United Nations Conference for the Adoption of a Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances, Vienna, 25 November-20 December 1988, vol. I (United Nations publication, Sales No. E.94.XI.5).

because it is the precursors rather than the end-products of amphetamine-type stimulants that are trafficked interregionally. The precursors, however, have a wide range of licit industrial uses and form a part of licit international trade. Effective monitoring can be successful only with the close cooperation of industry. Such cooperation also plays a crucial role in preventing the diversion of amphetamine-type stimulants from licit sources. Information furnished by Governments to the International Narcotics Control Board shows diversion of amphetamine-type stimulants from legal international trade into illicit channels and high legal consumption of amphetamine-type stimulants in some countries.

Action

18. On the basis of the existing framework for precursor control provided by article 12 of the 1988 Convention, related Economic and Social Council resolutions and recommendations of the International Narcotics Control Board, the competent authorities at the international, regional and national levels should take the following actions specific to precursors for amphetamine-type stimulants: (a) the promotion of close cooperation with industry to establish measures and/or a code of conduct governing trade in precursors for amphetamine-type stimulants; (b) enhanced implementation of the control measures against the diversion of precursors for amphetamine-type stimulants listed in the 1988 Convention, including greater use of pre-export notifications and improved procedures for information exchange at the national and international levels; (c) improved monitoring of non-scheduled substances that have been identified as frequently used in the illicit manufacture of amphetamine-type stimulants, including voluntary cooperation between authorities and the relevant branches of industry in order to help identify suspicious transactions; (d) the establishment of an international special surveillance list of substances referred to in subparagraph (b) above as part of a general early warning system; (e) consideration of punishing, as a criminal offence in the sense of article 3 of the 1988 Convention, the diversion of non-scheduled chemical substances with the knowledge that they are intended for use in the illicit manufacture of amphetamine-type stimulants; and (f) exchanges of information between all the agencies concerned, including in investigations concerning such non-scheduled substances to detect and prevent illicit trafficking.

19. In order to target the clandestine manufacture of amphetamine-type stimulants, international, regional and national authorities should also: (a) monitor clandestine manufacture methods; (b) develop drug signature analysis and profiling; (c) monitor, to the extent possible, sales of laboratory equipment, in compliance with article 13 of the 1988 Convention; (d) train all enforcement and control personnel involved in the technical complexities of amphetamine-type stimulants; and (e) investigate the possibility of developing procedures for differentiating between groups of substances with closely related chemical structures and for the detection of individual substances within amphetamine-type stimulants, for use by enforcement authorities.

20. States should strengthen their enforcement efforts against the illicit manufacture of and trafficking in amphetamine-type stimulants.

21. On the basis of the 1971 Convention and related Economic and Social Council resolutions, competent authorities, in cooperation with industry, should closely monitor developments in the licit manufacture of trade in and distribution of amphetamine-type stimulants in order to detect and prevent: (a) diversion into illicit channels from manufacture and international and retail trade (pharmacies); and (b) irresponsible marketing and prescribing of such substances. They should also cooperate closely with the International Narcotics Control Board by exchanging all relevant information in accordance with the 1971 Convention and related Council resolutions.

V. STRENGTHENING THE CONTROL SYSTEM FOR AMPHETAMINE-TYPE STIMULANTS AND THEIR PRECURSORS

Problem

22. When applied to clandestinely manufactured amphetamine-type stimulants, the international drug control system reveals several shortcomings, inter alia, the complicated procedure for scheduling psychotropic substances; the relative novelty of the precursor control regime; and the different procedures for changing the scope of control in the international drug control conventions. Effectively counteracting or preventing emergency situations, which may differ from region to region, requires a control system that is fast, flexible, easy to adapt to new situations and both technically and conceptually commensurate with the ever-greater complexity of the evolving problem of amphetamine-type stimulants.

Action

23. Concerning the wide area of regulatory control, international and regional organizations as well as States should, as appropriate:

(a) Rapidly identify and assess new amphetamine-type stimulants found on illicit markets; States may then wish to use such assessments to determine whether they should bring such substances under control so that legal action can be taken against illicit manufacture and trafficking;

(b) Improve the technical basis of control, particularly with regard to increasing the flexibility of the process of scheduling. This would involve the application of one of the following models used in different countries: (i) emergency or simplified scheduling processes; (ii) scheduling based on structurally similar groups (analogues); and (iii) control for purposes of criminal prosecution, based on similarities in chemical structure and known or anticipated pharmacological effects;

(c) Implement the relevant Council resolutions and consider the recommendations of the Board aimed at strengthening the control of psychotropic substances under the 1971 Convention, which should be similar to those applied to narcotic drugs;

(d) Introduce appropriate sanctions and penalties for illicit manufacture of and trafficking in amphetamine-type stimulants in compliance with article 22 of the 1971 Convention and article 3 of the 1988 Convention, strengthen law enforcement efforts against offences related to amphetamine-type stimulants, and consider appropriate penalties and/or alternative measures against the abuse of amphetamine-type stimulants, consistent with national laws and policies;

(e) Improve data collection and exchange of information on issues such as size of clandestine laboratories detected, manufacturing methods, precursors used, purities, prices, sources of amphetamine-type stimulants and their precursors, and epidemiological information;

(f) Strengthen regional cooperation, inter alia, through the following: multilateral exchanges between States of information about the adoption of amendments of national laws relating to the control of amphetamine-type

stimulants; regional arrangements for monitoring new developments in the clandestine manufacture of and trafficking in amphetamine-type stimulants; and establishment of rapid channels of communication;

(g) Provide, at the request of States with limited expertise in dealing with the complex technical problems posed by amphetamine-type stimulants, the information and assistance needed to implement effective measures against the manufacture of, trafficking in and abuse of amphetamine-type stimulants;

(h) Improve the exchange of information between States on transactions involving amphetamine-type stimulants in order to strengthen the control system for such substances and their precursors and to apply the "know-your-client" principle.

B

Control of precursors

The General Assembly,

Recognizing the fact that, in recent years, the diversion of precursors 18/ has become one of the most serious phenomena in the field of illicit drug manufacture,

Noting that the Single Convention on Narcotic Drugs of 1961, as amended by the 1972 Protocol, 19/ the Convention on Psychotropic Substances of 1971 13 and the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988 20/ provide the international basis for drug and precursor control,

Reaffirming the importance of preventing the diversion of chemicals from legitimate commerce to illicit drug manufacture as an essential component of a comprehensive strategy against drug abuse and trafficking,

Recognizing that combating this phenomenon calls for the adoption and effective application of strict and modern laws that make it possible to prevent and penalize such

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18/ The term "precursor" is used to indicate any of the substances listed in Table I or II of the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988, except where the context requires a different expression. Such substances are often described as precursors or essential chemicals, depending on their principal chemical properties. The plenipotentiary conference that adopted the 1988 Convention did not use any one term to describe such substances. Instead, the expression "substances frequently used in the illicit manufacture of narcotic drugs or psychotropic substances" was introduced in the 1988 Convention. It has become common practice, however, to refer to all such substances simply as "precursors"; although that term is not technically correct, it is used in this text for the sake of brevity.

19/ United Nations, Treaty Series, vol. 976, No. 14152.

20/ See Official Records of the United Nations Conference for the Adoption of a Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances, Vienna, 25 November-20 December 1988, vol. I (United Nations publication, Sales No. E.94.XI.5).

criminal conduct, as well as for the establishment of efficient and fully trained investigatory bodies and organs of justice that possess the human and material resources required to deal with the problem,

Noting the special problem posed by synthetic drugs, which can be manufactured illicitly in a variety of forms using chemicals, many of which can be easily substituted,

Noting also the progress made in developing practical guidelines for the implementation of the international drug control conventions, in particular the International Narcotics Control Board Guidelines for Use by National Authorities in Preventing the Diversion of Precursors and Essential Chemicals, and the annex entitled "Summary of the recommendations of the International Narcotics Control Board relevant to implementation by Governments of article 12 of the 1988 Convention", which appears annually in the report of the International Narcotics Control Board on the implementation of article 12 of the 1988 Convention,

Conscious of the progress made in controlling shipments of precursors as a result of cooperation between the competent national authorities in a number of States, and of the important work conducted by the International Narcotics Control Board in facilitating that cooperation, and in assisting Governments in verifying the legitimacy of individual transactions to prevent their diversion to illicit traffic,

Conscious also of the fact that many States lack sufficient resources to conduct in-depth investigations that would enable them to determine the legitimacy of transactions,

Considering that experience in precursor control demonstrates that multilateral exchange of information between competent national authorities of all States concerned, as well as the international organizations concerned, supplemented by bilateral and regional agreements for information-sharing where necessary, is essential to preventing the diversion of precursors,

Deeply concerned that drug traffickers continue to have access to the precursors required for the illicit manufacture of drugs, including substances listed in Tables I and II of the 1988 Convention, as well as other substances that are used as substitutes,

Considering that measures against the diversion of precursors can be effective only through concerted worldwide action and international cooperation guided by common principles and objectives,

Decides to adopt the measures to prevent the illicit manufacture, import, export, trafficking, distribution and diversion from licit channels to the illicit traffic of precursors used in the illicit manufacture of narcotic drugs and psychotropic substances, including substitute chemicals, as well as additional measures to enhance international cooperation in precursor control, which are presented below.

I. MEASURES TO PREVENT THE ILLICIT MANUFACTURE, IMPORT, EXPORT, TRAFFICKING AND DISTRIBUTION OF PRECURSORS USED IN THE ILLICIT MANUFACTURE OF NARCOTIC DRUGS AND PSYCHOTROPIC SUBSTANCES

A. Legislation and national control systems

Problem

1. The necessary actions to be taken by States to prevent diversion, and the success of those actions in identifying attempted diversions and stopping shipments, are possible only if States have established an adequate legislative basis or system of control that allows them to effectively monitor the movement of precursors. Further, mechanisms and procedures must be established for effective implementation of the legislation in place.

2. In order to establish effective systems of control, States need to identify competent national authorities and their specific roles and to share that information with other States. They also need to share details of the actual control measures applied.

3. Many States have not yet taken those necessary steps.

Action

4. States, in cooperation with competent international and regional bodies and, if necessary, and to the extent possible, with the private sector in each State, should:

(a) Adopt and implement, where they have not already done so, the necessary national laws and regulations required for strict compliance with the provisions and proposals of article 12 of the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances, and related resolutions of the Commission on Narcotic Drugs and the Economic and Social Council, including, in particular, the establishment of a system of control and licensing of the enterprises and persons engaged in the manufacture and distribution of substances listed in Tables I and II of the 1988 Convention and a system for monitoring the international trade in such substances for the purpose of facilitating the detection of suspicious shipments, and designate competent national authorities responsible for implementing such controls;

(b) Review regularly, and take appropriate steps to strengthen existing precursor controls should any weaknesses be identified, giving full consideration to the related recommendations of the International Narcotics Control Board as contained in the annual reports of the Board on the implementation of article 12 of the 1988 Convention;

(c) Adopt penal, civil or administrative measures for punishing, in accordance with their legislative provisions, as a criminal offence in the sense of article 3 of the 1988 Convention, the unlawful conduct of individuals or companies in connection with the diversion of precursors from legitimate commerce into the illicit manufacture of drugs;

(d) Exchange experience on procedures for the adoption of legislation and on the application of measures for combating and punishing illicit traffic in, and diversion of, precursors, including the use, where appropriate, of controlled deliveries;

(e) Submit timely reports to the International Narcotics Control Board on national regulations adopted to control the export, import and transit of precursors, including details of the requirements that have to be met for the authorization of imports and exports;

(f) Adopt the necessary measures to ensure that the disposal of seized chemicals has no harmful effect on the environment.

B. Information exchange

Problem

5. Rapid and timely information exchange between importing and exporting States is the key to effective precursor control, allowing States to verify the legitimacy of individual transactions and identify suspicious shipments in order to prevent the diversion of precursors. Many States have not yet established systematic mechanisms to ensure such rapid communication exchange, including timely feedback, with other competent national authorities, and with the International Narcotics Control Board, even on a confidential basis.

6. Similarly, traffickers quickly turn to sources in other States when they are denied the chemicals that they require. Experience has confirmed the importance of immediately sharing information on diversion attempts and suspicious transactions or stopped shipments with other States, and with the International Narcotics Control Board, in order to counter such attempts elsewhere.

Action

7. States, in cooperation with competent international and regional bodies and, if necessary, and to the extent possible, with the private sector in each State, should:

(a) Improve their mechanisms and procedures for monitoring trade in precursors, including the following actions:

(i) Regular exchange of information between exporting, importing and transit States, and with the International Narcotics Control Board, on exports of precursors before they take place, including, in particular, the provision by exporting States of pre-export notification to the competent authorities in importing countries for all transactions involving the substances in Table I and, in addition to the requirements of article 12, paragraph 10, of the 1988 Convention, acetic anhydride and potassium permanganate, and notification of the Secretary-General upon the request of the importing country. Recognizing the importance and usefulness of pre-export notifications for combating effectively the illicit production of narcotic drugs, psychotropic substances and, particularly, of amphetamine-type stimulants, the same efforts should be made with regard to the remaining substances listed in Table II. These measures should complement tight domestic controls in all countries, which are also necessary to ensure the prevention of diversion of precursor chemicals;

(ii) Promotion of the implementation, by competent national authorities, of mechanisms to verify the legitimacy of transactions before they take place, including the exchange of information on the legitimate domestic need for

the chemical; timely feedback to exporting States by States that have received pre-export notifications; and provision by exporting States, when requested by the importing State, to allow adequate time - to the extent possible up to fifteen days - to verify the legitimate end-use;

(iii) Exchange of information between exporting, importing and transit States, and with the International Narcotics Control Board, on suspicious transactions involving precursors and, where appropriate, on seizures effected and denials made;

(b) Keep confidential any industrial, business, commercial or professional secrets or trade processes contained in the reports provided by States on the export, import or transit and intended use of precursors, in accordance with the provisions of article 12, paragraph 11, of the 1988 Convention. Where necessary, an appropriate legal framework should be set up to ensure the suitable protection of personal data;

(c) Notify, as rapidly as possible, the International Narcotics Control Board, and the other States concerned as they consider necessary, of any decisions to deny a permit for the shipment of a precursor if it has not been possible to verify the legitimacy of a transaction, whether an import, export or trans-shipment, providing all relevant information for the reasons for the denial, so that other States may consider taking a similar course of action. Whenever an importing, exporting, or transit State is considering issuing a permit for shipment, it should make its decision with due assessment of all the elements of the case, and in particular of any such information provided to it by the State that has denied the issue of a permit for that shipment.

C. Data collection

Problem

8. Information on the normal patterns of legitimate trade and on the licit uses of, and requirements for, precursors is necessary to verify the legitimacy of individual transactions. Without such information, it is difficult to monitor the movement of precursors as required under article 12 of the 1988 Convention. Many States are not yet able to collect data on the licit movement of precursors. The inability to do so may indicate that the framework and systems for adequate control are not in place, and that competencies in the field of precursor control have not been clearly defined.

Action

9. States, in cooperation with competent international and regional bodies and, if necessary, and to the extent possible, with the private sector in each State, should:

(a) Design and establish flexible and effective mechanisms, where they do not already exist, subject to provisions for confidentiality and data protection, for obtaining data on the licit manufacture, import or export of precursors, and on any other activity related to the trade in precursors and for monitoring the movement of such substances, including the establishment of a register of public or private companies engaged in any activity relating thereto, which are to report suspicious orders for, or cases of theft of, precursors and to cooperate at all times with the competent national authorities;

(b) Establish or strengthen cooperation with associations of the chemical trade and industry, and with persons or companies engaged in any activity related to precursors, for example, through the establishment of guidelines or a code of conduct, to intensify efforts aimed at controlling such substances;

(c) Establish the principle of "know your client" for those who manufacture or market chemicals in order to improve the exchange of information.

II. TOWARDS MORE UNIVERSAL INTERNATIONAL COOPERATION IN PRECURSOR CONTROL

Problem

10. Achievements in preventing the diversion of precursors have been due to the activities of a growing, but still relatively small, number of Governments of exporting, importing and transit States and territories worldwide.

11. Those States have taken specific steps to monitor the movement of precursors through their territories, even when they do not have comprehensive legislation for precursor control in place. However, many States have not yet developed adequate systems for precursor control, in spite of the fact that traffickers have exploited as points of diversion those countries and territories where controls are inadequate. Controls do not serve their purpose if all States facing similar situations with regard to the trafficking of precursors do not take similar practical steps to ensure that diversion attempts are identified or do not share their experiences in implementing controls. More uniform action is required by all States to limit the availability to traffickers of the precursors required for illicit drug manufacture.

Action

12. States, in cooperation with competent international and regional bodies and, if necessary, and to the extent possible, with the private sector in each State, should:

(a) Institutionalize uniform procedures to facilitate the widespread, multilateral exchange of information on suspicious transactions and stopped shipments in the course of implementing national precursor control laws and regulations based on the international drug control conventions and related resolutions, guidelines and recommendations in such a way as to complement bilateral or regional agreements;

(b) Promote multilateral arrangements that encourage the exchange of essential information for effective monitoring of the international trade in precursors, to complement similar bilateral or regional agreements, with special emphasis on devising practical systems for sharing information on individual transactions;

(c) Disseminate more systematic information on the ways and means used by criminal organizations for illicit trafficking in, and diversion of, precursors, with a view to adopting measures to prevent such illicit activities, in accordance with article 12, paragraph 12 (c), of the 1988 Convention;

(d) Promote technical assistance programmes for States upon request, according the highest priority to those with the least resources, for the purpose of strengthening control of precursors and avoiding their diversion for illicit purposes;

(e) Promote the exchange of experience relating to police, customs and other administrative investigation, interception, detection and control of diversion of precursors;

(f) Organize expert meetings, where necessary, on combating the illicit traffic in, and diversion of, precursors in order to promote professional skills and raise levels of expertise.

III. SUBSTITUTE CHEMICALS

Problem

13. Some of the substances required for illicit drug manufacture that are listed in Tables I and II of the 1988 Convention have become especially difficult to obtain as a result of the implementation of the provisions of that Convention. Traffickers have successfully sought to obtain chemicals that may be used as substitutes for those that are more closely monitored. In addition, they have identified and used new methods for processing or manufacture, requiring substances currently not listed in Tables I and II of the 1988 Convention. They have also manufactured so-called controlled drug analogues, many of which again require as starting material substances currently not listed in Tables I and II.

Action

14. States, in cooperation with competent international and regional bodies and, if necessary, and to the extent possible, with the private sector in each State, should:

(a) Cooperate with the International Narcotics Control Board in the preparation of a limited international special surveillance list of substances currently not in Tables I and II of the 1988 Convention and for which substantial information exists of their use in illicit drug-trafficking, as requested by the Economic and Social Council in its resolution 1996/29, section I, of 24 July 1996, contributing to the maintenance of that list by informing the Board on a regular basis, in accordance with article 12, paragraph 12, of non-scheduled substances that have been diverted from licit channels to illicit traffic and promoting studies of the potential use of non-scheduled substances with a view to the timely identification of any that could be used in the illicit manufacture of drugs;

(b) Apply monitoring measures, whether voluntary, administrative or legislative, in cooperation with the chemical industry, so as to prevent the diversion from licit channels to illicit traffic of substances included on the special surveillance list, including specific monitoring measures for those substances that are relevant at the national or regional levels. In addition, States shall consider punishing, as a criminal offence in the sense of an article 3 of the 1988 Convention, the diversion of non-scheduled chemical substances with the knowledge that they are intended for use in the illicit manufacture of narcotic drugs or psychotropic substances, and introducing related penal, civil and administrative sanctions.

C

Measures to promote judicial cooperation

The General Assembly

Adopts the following measures to promote judicial cooperation:

I. EXTRADITION

1. It is recommended that States:

(a) If needed and so far as possible on a periodic basis, review their domestic legislation to simplify procedures for extradition, consistent with their constitutional principles and the basic concepts of their legal systems;

(b) Inform other States of the competent authority or authorities designated to receive, respond to and process extradition requests; in that regard, communicating the name, address and telephone number of the authority or authorities to the United Nations International Drug Control Programme would be useful;

(c) Prepare summaries of their domestic laws and extradition practices, to be made available to other States;

(d) Subject to constitutional provisions, international drug control treaties and national legislation, consider extraditing their nationals for serious drug offences on agreement that they will be surrendered for prosecution but that they could be returned to serve any sentences imposed in their State of nationality; and reconsider the other traditional exceptions to extradition, particularly in cases involving serious crimes;

(e) Utilize, where appropriate, as a resource the Model Treaty on Extradition 21/ when negotiating such treaties;

(f) Maximize the use of modern technologies for facilitating communications, as long as they are secure and consistent with domestic legal systems.

II. MUTUAL LEGAL ASSISTANCE

2. It is recommended that States:

(a) Ensure that their domestic legislation enables them to implement article 7 of the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988;

(b) Designate an authority or authorities with the power both to make and to execute, or to transmit for execution, requests for mutual legal assistance; and, pursuant to the provisions of article 7, paragraphs 8 and 9 of the 1988 Convention, notify the Secretary-General of the name, address, fax number, telephone number and e-mail address (if any) of the authority or authorities designated to receive such requests, as well as the language or languages acceptable;

(c) Provide other States with guides or manuals on how to make requests for mutual legal assistance;

(d) Develop model forms for requests for mutual legal assistance;

21/ Resolution 45/116, annex.

(e) Utilize, where appropriate, as a resource the Model Treaty on Mutual Assistance in Criminal Matters 22/ when negotiating such treaties;

(f) Maximize the use of modern communication technologies, such as the Internet and facsimile machines, as long as they secure and consistent with the domestic legal system and available resources, to expedite and render more efficient requests for mutual legal assistance and the execution of such requests;

(g) Consider the use of telephone and video link technology for obtaining witness statements and testimony, as long as they are secure and consistent with domestic legal systems and available resources.

III. TRANSFER OF PROCEEDINGS

3. It is recommended that States:

(a) Make available information on their experiences in the transfer of proceedings, if they possess such experiences, to other interested States;

(b) Consider enacting the legislation necessary to transfer or receive proceedings in criminal matters;

(c) Consider whether it would be useful to enter into agreements with other States that have similar legal systems to transfer or receive proceedings in criminal matters, particularly with those States that do not extradite their own nationals; and, in that connection, refer to the Model Treaty on the Transfer of Proceedings in Criminal Matters 23/ as a basis for negotiations.

IV. OTHER FORMS OF COOPERATION AND TRAINING

4. It is recommended that States:

(a) Consider developing or expanding programmes for the exchange of law enforcement personnel, giving special consideration to exchanging experts who can assist in such areas as forensic evidence or financial investigations or who can exchange knowledge, experiences and techniques concerning drug-trafficking and related offences;

(b) Where appropriate, consider methods of enhancing cooperation between law enforcement agencies; improve the sharing of intelligence and the development of shared investigative strategies to combat drug-trafficking organizations operating in several States; ensure that investigative activities in one State complement those undertaken in other States; and be ready to work together on specific projects, without prejudice to the jurisdictions of the States concerned;

22/ Resolution 45/117, annex.

23/ Resolution 45/118, annex.

(c) Exchange information developed through forensic analysis, particularly on the basis of scientific profiles of seized narcotic drugs, psychotropic substances and precursors and the examination of packaging materials;

(d) Consider developing secure means of using modern communication capabilities to facilitate the fast exchange of information consistent with domestic legal systems;

(e) Consider establishing specialized units within or linked to law enforcement agencies, for investigating drug-trafficking cases, encouraging close coordination between all relevant agencies, such as customs, coastguard and police departments, and ensuring that training is provided;

(f) Consider measures to reinforce cooperation between the criminal justice, health and social systems in order to reduce drug abuse and related health problems;

(g) Strengthen cooperation not only among enforcement agencies, but also among judicial authorities;

(h) Cooperate as appropriate with neighbouring States through agreements or arrangements to ensure that their inland waters are not used for illicit traffic.

V. CONTROLLED DELIVERY

5. It is recommended that States:

(a) If permitted by the basic principles of their respective domestic legal systems, ensure that their legislation, procedures and practices allow for the use of the technique of controlled delivery at both the domestic and international levels, subject to agreements, arrangements and understandings mutually consented to between States;

(b) Consider entering into agreements and arrangements with other States, particularly neighbouring States, to facilitate the use of controlled deliveries; or consider that possibility on a case-by-case basis;

(c) Assist one another through the exchange of experiences and equipment; and, if they have developed technical equipment for tracking consignments of illicit drugs or have developed innocuous substances that can be substituted for illicit drugs, consider supplying the equipment or substances to other States to ensure successful controlled deliveries.

VI. ILLICIT TRAFFIC BY SEA

6. It is recommended that States:

(a) Review national legislation to ensure that the legal requirements of the 1988 Convention are met, for example the identification of competent national authorities, the maintenance of ship registries and the establishment of adequate law enforcement powers;

(b) Review communication channels and procedures between competent authorities to facilitate coordination and cooperation with the objective of ensuring rapid responses and decisions;

(c) Promote regional cooperation in maritime drug law enforcement by means of bilateral and regional meetings, including meetings of heads of national drug law enforcement agencies;

(d) Negotiate and implement bilateral and multilateral agreements to enhance cooperation in combating the illicit drug traffic by sea in accordance with article 17 of the 1988 Convention;

(e) Provide training to law enforcement personnel in maritime drug law enforcement, including the identification and surveillance of suspicious vessels, procedures for boarding, searching techniques and drug identification;

(f) Cooperate with other States through multilateral training seminars;

(g) Consistent with their legal systems, promote common maritime law enforcement procedures through the use of the maritime drug law enforcement training guide of the United Nations International Drug Control Programme.

VII. COMPLEMENTARY MEASURES

7. It is recommended that States consider designing complementary measures to further enhance the implementation of the 1988 Convention in the following areas, reconciling respect for individual human rights with the basic principles of justice and security:

(a) The protection of judges, prosecutors, witnesses and other members of surveillance and law enforcement agencies, whenever the circumstances so warrant, in cases that involve illicit drug-trafficking;

(b) New investigative techniques;

(c) The harmonization and simplification of procedures to increase international cooperation;

(d) The development or strengthening of legal institutions and their capacity for judicial cooperation, especially in respect of drug-related offences;

(e) The improvement of the professionalism of criminal justice personnel through enhanced technical cooperation, training and human resource development.

D

Countering money-laundering

The General Assembly,

Recognizing that the problem of laundering of money derived from illicit trafficking in narcotic drugs and psychotropic substances, as well as from other serious crimes, has expanded internationally to become such a global threat to the integrity, reliability and stability of financial and trade systems and even government structures as to require

countermeasures by the international community as a whole in order to deny safe havens to criminals and their illicit proceeds,

Recalling the provisions of the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988, according to which all parties to the Convention are required to establish money-laundering as a punishable offence and to adopt the measures necessary to enable the authorities to identify, trace and freeze or seize the proceeds of illicit drug trafficking,

Recalling Commission on Narcotic Drugs resolution 5 (XXXIX) of 24 April 1996, 24/ in which the Commission noted that the forty recommendations of the Financial Action Task Force established by the heads of State or Government of the seven major industrialized countries and the President of the European Commission remained the standard by which the measures against money-laundering adopted by concerned States should be judged, as well as Economic and Social Council resolution 1997/40 of 21 July 1997, in which the Council took note with satisfaction of the document entitled "Anti-drug strategy in the hemisphere", approved by the Inter-American Drug Abuse Control Commission of the Organization of American States at its twentieth regular session, held at Buenos Aires in October 1996 and signed at Montevideo in December 1996, and urged the international community to take due account of the anti-drug strategy in the hemisphere as a significant contribution to the strengthening of the Global Programme of Action adopted by the General Assembly at its seventeenth special session, 25/

Recognizing the political will expressed by the international community, especially as reflected in such initiatives as the Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime, adopted in 1990 by the Committee of Ministers of the Council of Europe, the Ministerial Communiqué of the Summit of the Americas Conference Concerning the Laundering of Proceeds and Instrumentalities of Crime, held at Buenos Aires in December 1995, and by such bodies as the Inter-American Drug Abuse Control Commission of the Organization of American States, the Asia/Pacific Group on Money Laundering, the Caribbean Financial Action Task Force, the Offshore Group of Banking Supervisors and the Commonwealth, all of which are well-recognized multilateral initiatives aimed at combating money-laundering and constitute legal or policy frameworks within which concerned States are defining and adopting measures against money-laundering,

Aware that the proceeds of illicit drug-trafficking and other illicit activities, which are laundered through banks and other financial institutions, constitute an obstacle to the implementation of policies designed to liberalize financial markets in order to attract legitimate investment, in that they distort those markets,

Emphasizing that there is a need to harmonize national legislation with a view to ensuring appropriate coordination of policies for combating money-laundering, without prejudice to the action each State is undertaking within its own jurisdiction to combat this form of criminality,

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24/ Official Records of the Economic and Social Council, 1996, Supplement No. 7 (E/1996/27), chap. XIV.

25/ Resolution S-17/2, annex.

Recognizing the need to promote and develop effective mechanisms for the pursuit, freezing, seizure and confiscation of property obtained through or derived from illicit activities, so as to avoid its use by criminals,

Recognizing that only through international cooperation and the establishment of bilateral and multilateral information networks such as the Egmont Group, which will enable States to exchange information between competent authorities, will it be possible to combat effectively the problem of money-laundering,

Emphasizing the enormous efforts of a number of States to draw up and apply domestic legislation that identifies the activity of money-laundering as a criminal offence,

Realizing the importance of progress being made by all States in conforming to the relevant recommendations and the need for States to participate actively in international and regional initiatives designed to promote and strengthen the implementation of effective measures against money-laundering,

1. Strongly condemns the laundering of money derived from illicit drug trafficking and other serious crimes, as well as the use of the financial systems of States for that purpose;

2. Urges all States to implement the provisions against money-laundering that are contained in the United Nations Convention against Illicit Trafficking in Narcotic Drugs and Psychotropic Substances of 1988 and the other relevant international instruments on money-laundering, in accordance with fundamental constitutional principles, by applying the following principles:

(a) Establishment of a legislative framework to criminalize the laundering of money derived from serious crimes in order to provide for the prevention, detection, investigation and prosecution of the crime of money-laundering through, inter alia:

(i) Identification, freezing, seizure and confiscation of the proceeds of crime;

(ii) International cooperation; and mutual legal assistance in cases involving money-laundering;

(iii) Inclusion of the crime of money-laundering in mutual legal assistance agreements for the purpose of ensuring judicial assistance in investigations, court cases or judicial proceedings relating to that crime;

(b) Establishment of an effective financial and regulatory regime to deny criminals and their illicit funds access to national and international financial systems, thus preserving the integrity of financial systems worldwide and ensuring compliance with laws and other regulations against money-laundering through:

(i) Customer identification and verification requirements applying the principle of "know your customer", in order to have available for competent authorities the necessary information on the identity of clients and the financial movements that they carry out;

(ii) Financial record-keeping;

(iii) Mandatory reporting of suspicious activity;

(iv) Removal of bank secrecy impediments to efforts directed at preventing, investigating and punishing money-laundering;

(v) Other relevant measures;

(c) Implementation of law enforcement measures to provide tools for, inter alia:

(i) Effective detection, investigation, prosecution and conviction of criminals engaging in money-laundering activity;

(ii) Extradition procedures;

(iii) Information-sharing mechanisms;

3. Calls upon the United Nations Office for Drug Control and Crime Prevention to continue to work, within the framework of its global programme against money-laundering, with relevant multilateral and regional institutions, organizations or bodies engaged in activities against money-laundering and drug trafficking and with international financial institutions to give effect to the above principles by providing training, advice and technical assistance to States upon request and where appropriate.

E

Action Plan on International Cooperation on the Eradication of Illicit Drug Crops and on Alternative Development

The General Assembly,

Reaffirming that the fight against illicit drugs must be pursued in accordance with the provisions of the international drug control treaties, on the basis of the principle of shared responsibility and requires an integrated and balanced approach in full conformity with the purposes and principles of the Charter of the United Nations and international law, and particularly with full respect for the sovereignty and territorial integrity of States, the principle of non-intervention in internal affairs of States, and all human rights and fundamental freedoms,

Recognizing that effective crop control strategies can encompass a variety of approaches, including alternative development, law enforcement and eradication,

Defining alternative development as a process to prevent and eliminate the illicit cultivation of plants containing narcotic drugs and psychotropic substances through specifically designed rural development measures in the context of sustained national economic growth and sustainable development efforts in countries taking action against drugs, recognizing the particular sociocultural characteristics of the target communities and groups, within the framework of a comprehensive and permanent solution to the problem of illicit drugs,

Recognizing that the problem of the illicit production of narcotic drugs and psychotropic substances is often related to development problems and that those links require, within the context of shared responsibility, close cooperation among States, the competent organs of the United Nations system, in particular the United Nations

International Drug Control Programme, regional bodies and international financial institutions,

Aware that, in order to achieve maximum effectiveness in the fight against drug abuse, it is necessary to maintain a balanced approach by allocating appropriate resources to initiatives that include the reduction of both illicit demand and illicit supply,

Advocates the following objectives for strategies, programmes and international cooperation to ensure the effectiveness of the common endeavour to reduce the illicit production of narcotic drugs and psychotropic substances and to contribute to sustainable human development:

I. THE NEED FOR A BALANCED APPROACH TO CONFRONT HIGH LEVELS OF ILLICIT CULTIVATION

Challenge

1. Despite the adoption of international conventions promoting the prohibition of illicit drug crops, the problem of the illicit cultivation of the opium poppy, the coca bush and the cannabis plant continues at alarming levels. History has shown that there is no single response to reducing and eliminating the cultivation and production of illicit drugs. Balanced approaches are likely to result in more efficient strategies and successful outcomes.

Action

2. States should strongly condemn, and urge community leaders to condemn, the illicit cultivation of the opium poppy, the coca bush and the cannabis plant, as well as other illicit drug crops.

3. States should ensure that the specific commitments in the Single Convention of 1961, 26/ as amended by the 1972 Protocol, 27/ and in the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988, 28/ regarding illicit drug crop cultivation are implemented and enforced. In particular, this includes article 14, paragraphs 2 and 3, of the 1988 Convention, which require Parties to take appropriate measures to prevent the illicit cultivation of plants containing narcotic and psychotropic substances and to cooperate to improve the effectiveness of eradication efforts, including their support to alternative development.

4. States in which illicit cultivation of drug crops exists should develop national strategies for the reduction and elimination of illicit crops, including concrete measurable goals and objectives taking into account existing drug control master plans. National drug

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26/ United Nations, Treaty Series, vol. 520, No. 7515.

27/ Ibid., vol. 976, No. 14152.

28/ Official Records of the United Nations Conference for the Adoption of a Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances, Vienna, 25 November-20 December 1988, vol. I (United Nations publication, Sales No. E.94.XI.5).

crop reduction and elimination strategies should include comprehensive measures such as programmes in alternative development, law enforcement and eradication.

5. States should take appropriate measures to develop and implement national plans for alternative development, creating appropriate institutions, as well as a suitable legal, economic and social framework.

6. Alternative development programmes and projects should be consistent with national drug control policies and national sustainable development policies and strategies in the affected rural communities.

7. In cases of low-income production structures among peasants, alternative development is more sustainable and socially and economically more appropriate than forced eradication.

II. STRENGTHENING OF INTERNATIONAL COOPERATION FOR ALTERNATIVE DEVELOPMENT

Challenge

8. Alternative development is an important component for generating and promoting lawful, viable and sustainable economic options to illicit drug crop cultivation and is one of the key components of the policy and programmes for reducing illicit drug production that has been adopted within the comprehensive framework of the global strategy of the United Nations. The development and implementation of alternative development is primarily the responsibility of the State in which illicit drug cultivation takes place. However, States with illicit drug crops will need continued funding, on the basis of shared responsibility, to support national efforts to eliminate drug crops. Currently, insufficient funding is available for alternative development at the national and international levels.

Action

9. The success of alternative development programmes depends on the long-term political and financial commitment of both the Governments of the affected countries and the international community to supporting integrated rural development involving local communities, effective enforcement of drug control measures and promotion of awareness among the local population of the negative consequences of drug abuse.

10. The international community and the relevant United Nations organizations, in particular the United Nations International Drug Control Programme, should assist States in countering illicit drug production by providing adequate financial and technical assistance for alternative development, with the objective of reducing and eliminating illicit drug crops. Such assistance should be provided within the context of the national control strategies of the recipient States. It should be linked to national commitment and the strong political will of States with illicit cultivation to implement the provisions contained in article 14 of the 1988 Convention.

11. Agencies of the United Nations system and relevant financial institutions should cooperate, within their spheres of competence, in supporting rural development for regions and populations affected by illicit crop cultivation.

12. International financial institutions and regional development banks should be encouraged to provide financial assistance for alternative development programmes.

13. The United Nations International Drug Control Programme should continue its catalytic role in regard to international financial institutions, non-governmental organizations, relevant United Nations organizations and the private sector, and assist interested Governments in approaching such institutions for the purpose of financing and supporting their alternative development programmes and projects.

14. States are exhorted to agree on bilateral mechanisms for cooperation in order to establish and implement eradication and alternative development projects in their frontier areas.

15. The international community should attempt to provide greater access to domestic and international markets for alternative development products, with a view to overcoming problems relating to prices and marketing resulting from the substitution of crops cultivated for illicit purposes by production for licit commercial purposes.

16. Alternative development programmes should be designed for areas that have a potential for adequate drug control and development.

III. IMPROVED AND INNOVATIVE APPROACHES TO ALTERNATIVE DEVELOPMENT

Challenge

17. Alternative development is an important component of a balanced and comprehensive drug control strategy and is intended to create a supportive environment for the implementation of that strategy. It is intended to promote lawful and sustainable socio-economic options for those communities and population groups that have resorted to illicit cultivation as their only viable means of obtaining a livelihood, contributing in an integrated way to the eradication of poverty. However, cumulative efforts and methods of planning and implementation need further improvement to strengthen the existing processes and to implement new and innovative alternative development programmes.

Action

18. Alternative development programmes and international cooperation for that purpose should:

(a) Be adapted to the specific legal, social, economic, ecological and cultural conditions prevalent in a given project region;

(b) Contribute to the creation of sustainable social and economic opportunities through integrated rural development, including infrastructure development, that will help to improve the living conditions of the communities and population groups affected by the existence of illicit cultivation;

(c) Contribute to the promotion of democratic values to encourage community participation, and promote social responsibility to develop a civic culture that rejects the illicit cultivation of crops;

(d) Include appropriate demand reduction measures where there is drug abuse in the targeted communities;

(e) Incorporate the gender dimension by ensuring equal conditions for women and men to participate in the development process, including design and implementation;

(f) Observe environmental sustainability criteria, taking into account the objectives of Agenda 21. 29/ Programmes and projects of alternative development are efficient instruments used to avoid any expansion or displacement of illicit cultivation to ecologically fragile areas.

19. In order to ensure that alternative development is sustainable, participatory approaches that are based on dialogue and persuasion and that include the community as a whole, as well as relevant non-governmental organizations, should be applied in the identification, preparation, implementation, monitoring and evaluation of alternative development. Local communities and public authorities should develop commonly agreed goals and objectives and commit themselves by community-based agreements to reducing illicit crops until they are eliminated.

20. Institution-building at the regional and local levels should be regarded as a factor that will contribute to improving the level of participation in activities fostered by alternative development.

21. States should design alternative development programmes, taking into account the regional context. States should cooperate through bilateral, regional and multilateral means to avoid displacement of illicit cultivation from one area, region or country to another.

IV. ENHANCING MONITORING, EVALUATION AND INFORMATION-SHARING

Challenge

22. States have often undertaken valiant efforts to eliminate the illicit cultivation of the opium poppy, the coca bush and the cannabis plant. Nevertheless, the potential of such efforts has not been fully exploited because of insufficient information and cooperation at policy and operational levels. Also, in recent years, the cultivation and production of illicit drug crops has appeared in other countries, reaching all geographical regions. That trend includes cultivation and production in enclosed premises using new methods and technologies.

Action

23. Governments in the producing areas should design efficient and accurate monitoring and verification mechanisms using the most efficient, cost-effective and accessible data collection methods available.

29/ Report of the United Nations Conference on Environment and Development, Rio de Janeiro, 3-14 June 1992, vol. I, Resolutions Adopted by the Conference (United Nations publication, Sales No. E.93.I.8 and corrigendum), resolution 1, annex II.

24. Governments should implement follow-up and evaluation systems that will enable them to monitor the qualitative and quantitative impact of alternative development programmes. The sustainability of illicit crop reduction is a most important assessment criterion of alternative development.

25. Governments should share information on illicit drug crop assessment with the United Nations International Drug Control Programme and reciprocally with other Governments in order to increase cooperation to eliminate such cultivation. Assessments should also include information about the causes and effects of narcotics production, including linkages to other development problems.

26. States in which the cultivation and production of illicit drug crops has developed in recent years should prepare estimates of the extent of the problems and exchange this information similarly. Those States should consider these factors when formulating and implementing their national plans to tackle the problem of illicit drug crop cultivation and production.

V. THE NEED FOR LAW ENFORCEMENT IN CONTROLLING ILLICIT CROPS

Challenge

27. Even when alternative development projects are successful, some growers and processors are not likely to abandon production voluntarily simply because other opportunities already exist; they must see that there is a risk associated with staying in the illicit cultivation of drug crops.

Action

28. States with problems of illicit drug crop cultivation should ensure that alternative development programmes are complemented, when necessary, by law enforcement measures:

(a) Law enforcement measures are required as a necessary complement to alternative development programmes in order to tackle other illicit activities such as the operation of illicit drug laboratories, the diversion of precursors, trafficking, money-laundering and related forms of organized crime, both in areas where alternative development programmes are implemented and elsewhere along the trafficking chain;

(b) Comprehensive law enforcement programmes can affect the profitability of illicitly cultivated drug crops and, in so doing, make alternative sources of legal income more competitive and attractive.

29. When there is organized criminal involvement in illicit drug crop cultivation and drug production, the measures, such as eradication, destruction of illicit drug crops and arrests, called for in the 1961 Convention and the 1988 Convention are particularly appropriate.

30. In areas where viable alternative sources of income already exist, law enforcement measures are required against persistent illicit cultivation of narcotic crops.

31. In areas where alternative development programmes have not yet created viable alternative income opportunities, the application of forced eradication might endanger the success of alternative development programmes.

32. Eradication efforts should utilize available research and ensure that environmentally safe methods are employed.

VI. FOLLOW-UP

33. We request the Executive Director of the United Nations International Drug Control Programme to report to the Commission on Narcotic Drugs, as appropriate, taking into account the overall outcome of the twentieth special session of the General Assembly, on the follow-up of this Action Plan.

DECISION ADOPTED

Documentation considered by the Ad Hoc Committee of the Whole

The General Assembly decides to take note of the following documents:

(a) Note by the Secretary-General on the review of the international drug control regime: strengthening United Nations machinery for drug control (A/S-20/2);

(b) Note by the Secretary-General transmitting the joint statement by the Administrative Committee on Coordination to the General Assembly at its twentieth special session (A/S-20/3).

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